

CLAYTON COUNTY BOARD OF COMMISSIONERS

Regular Business Meeting
7:00 P.M.

June 4, 2013

POST SUMMARY MINUTES

PRESENT: Chairman Jeffrey E. Turner, Vice-Chairman Michael Edmondson, Commissioner Sonna Singleton, Commissioner Gail Hambrick, Commissioner Shana M. Rooks, and Clerk Shelby D. Haywood.

1. Chairman Turner called the meeting to order.
2. Invocation was led by Pastor Douglass Johnson of Rhema Wind Christian Ministries in Forest Park, Georgia. Pledge of allegiance to the flag was led by Chairman Turner.
3. **Motion by Commissioner Rooks, second by Vice-Chairman Edmondson, for the Clayton County Board of Commissioners to go into a joint meeting with the Clayton County Water Authority. Vote unanimous.**

Motion by Mr. John Westervelt, second by Mr. John Chafin, of the Clayton County Water Authority Board, to convene the Joint Meeting with the Board of Commissioners. Vote unanimous.

JOINT MEETING of the Clayton County Board of Commissioners and the Clayton County Water Authority to consider the following resolution as presented by Interim County Attorney Jack Hancock to refinance water authority bonds:

1) **Resolution 2013-148** – A Joint Resolution of the Board of Commissioners of Clayton County and the Clayton County Water Authority to provide for the issuance of (A) \$17,015,000.00 Clayton County and Clayton County Water Authority (Georgia) Water and Sewerage Revenue Refunding Bonds, Series 2013A, to provide funds to finance in whole or in part the cost of (i) currently refunding all of the outstanding principal amount of the Clayton County and Clayton County Water Authority (Georgia) Water and Sewerage Refunding and Improvements Revenue Bonds, Series 2003, maturing on May 1 in the years 2014 through and including 2020 and (ii) paying the costs of issuance of the Series 2013 Bonds and (B) \$47,895,000.00 Clayton County and Clayton County Water Authority (Georgia) Water and Sewerage Taxable Revenue Refunding Bonds, Series 2013B, to provide funds to finance in whole or in part the cost of (i) advance refunding the outstanding principal amount of the Clayton County and Clayton County Water Authority Water and Sewerage Refunding Revenue Bonds, Series 2004, maturing on May 1 in the years 2015 through and including 2020 and (II) paying the costs of issuing the Series 2013 Bonds, pursuant to and in accordance with a joint resolution adopted

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June 11, 1959, as ratified and reaffirmed by various joint resolutions; to reaffirm and adopt certain applicable terms, covenants, provisions and conditions of said prior joint resolutions; to enlarge the scope of other terms, covenants, provisions and conditions of said bonds; to create and maintain certain funds and provide for the disposition thereof; to provide rates for the services and facilities to be furnished by the system and the remedies of the holders of said revenue bonds; to provide for the issuance of additional Pari Passu Water and Sewerage Revenue Bonds; and for other purposes.

Motion by Chairman Turner, second by Commissioner Rooks, of the Clayton County Board of Commissioners, to approve Resolution 2013-148 as submitted. The motion carried 3-2. Commissioners Singleton and Hambrick opposed.

Motion by Mr. Oscar Blalock, second by Mr. John Westervelt, of the Clayton County Water Authority Board, to approve Resolution 2013-148 as submitted. Vote unanimous.

Motion by Commissioner Rooks, second by Chairman Turner, to adjourn the Joint Meeting of the Clayton County Board of Commissioners and the Clayton County Water Authority. Vote unanimous.

Clayton County Water Authority Board Chairman Marie Barber thanked the Clayton County Board of Commissioners for allowing the Clayton County Water Authority to present this resolution. Motion by Mr. Rodney Givens, second by Mr. John Chafin, of the Clayton County Water Authority Board, to adjourn the Joint Meeting of the Clayton County Board of Commissioners and the Clayton County Water Authority. Vote unanimous.

Chairman Turner thanked the Clayton County Water Authority Board for the work that it does.

4. Amended the agenda by deleting item #11 (Ordinance 2013-137, an Ordinance to amend the Code of Clayton County, Georgia, as amended; specifically Part II, Chapter 2 "Administration," Article III "Boards, Commissions and Authorities," Division 4 "Solid Waste Management Authority," Section 2-85 "Solid Waste Management Authority; Creation; Membership; Powers"; to repeal conflicting laws, ordinances, and resolutions; to provide for severability; to provide an effective date of this ordinance; and for other purposes). Clerk Haywood noted that item #7 was going to be a presentation only and not an appeal from Clayton County NAACP ACT-SO students. She also noted that the Executive Session

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tonight pertained to a personnel matter. The agenda was adopted, as amended, as all commissioners had copies before them. Vote unanimous.

5. Approved the May 21, 2013 Regular Business Meeting minutes. Vote unanimous.

6. PUBLIC COMMENT: Citizens will be given a three (3)-minute maximum time limit to speak before the Board of Commissioners about various topics, issues, and concerns. Following thirty minutes of hearing from the public, the Board of Commissioners will allow the remainder of citizens who have signed up for public comment to be heard at the next Tuesday business meeting.

1) Dr. Henry Anderson, a Clayton County resident, gave his final summation of continued acknowledgement, recognition, and accolades to the Board. He recognized Commissioner Hambrick's support of the comprehensive and detailed tour on August 10, 2009 of Tara Boulevard along with other officials of the police, sheriff, and code enforcement departments to clean up Tara Boulevard. Her vote changed the rules to enable citizens to serve on more than one County Board and rescinded the majority vote led by previous Commissioner Charley Griswell that allowed a Clayton County citizen to serve on only one board. Dr. Anderson recognized Commissioner Singleton for connecting him with Mundy's Mill High School in August 2010 to donate health equipment to the Health Professional Career Department at the high school. He acknowledged Commissioner Rooks' steadfast loyalty and the promises she kept to the supporters of District Three and her tenacity to change the name of the new recreation center in Hampton, Georgia to South Clayton. Dr. Anderson also commended Commissioner Rooks on her informative newsletter and her first Saturday of the month talks for constituents to ask questions and voice any problems or issues that she can address and resolve. He gave accolades to Chairman Turner, as then Chief of Police, for implementing community policing and enhancing the neighborhood watch programs. In closing, he recognized and expressed appreciation to Chairman Turner for making himself accessible, approachable, and available to the Clayton County citizens. Dr. Anderson thanked the Board for its time and attention.

2) Shana Roberts, a Clayton County resident, stated she attended the May 7, 2013 commissioners' meeting to express concerns regarding parking issues at Southlake Townhomes on Southlake Parkway. She noted that the Board had her speak with Deputy Chief Hawkins of the Clayton County Police Department, and she still has not received any results for the parking issues. As of date, Ms. Roberts is still receiving parking tickets and would now like to sit down with someone to come up with a resolution.

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Chairman Turner told Ms. Roberts to leave information with Ms. Woods, BOC Office Manager and he would set up an appointment with Chief of Police Greg Porter, Ms. Roberts and himself to come up with a resolution.

3) Druscilla Lawrence waived her right to speak before the Board tonight.

4) Dana Lemon, owner of W. D. Lemon & Sons Funeral Home in Clayton County since the mid-seventies, stated that it has been an honor to support the citizens of Clayton County as well as other surrounding counties. Ms. Lemon affirmed that it has come to her attention that the County has a bid out on deceased body removal provided to the Georgia Bureau of Investigations. She requested that the Board employ a professional removal service that can fulfill the obligations and provide to the citizens of Clayton County. Ms. Lemon concluded that it is imperative that the county provide a service to the GBI that is professional, consistent, and of quality that not only represents Clayton County Commissioners but the entire community.

5) Vickie Warren appealed to the Board to extend the hours of Morrow Library to seven (7) days a week for the following schools: Elite Scholars, Morrow High, Morrow Middle and Thurgood Marshall. She stated that the extension would help the students who have transportation issues with having to go the Battle Creek Library location.

7. PRESENTATION: "Appeal to the Board of Commissioners from the Clayton County NAACP ACT-SO Students."

Members of the Clayton County NAACP ACT-SO program were introduced. ACT-SO is a year-long youth achievement program designed to recruit, stimulate, and encourage high academic and cultural achievement among high school students. Students train and compete in twenty-seven (27) business categories in sciences, humanities, business, and performing and visual arts. The program relies on the dedication and commitment of community and business leaders who volunteer as coaches, provide venues to showcase students, and donate financially to promote academic and artistic excellence. Through this collaborative effort, participating students develop the confidence and skills needed to excel in school and in life. This year one hundred-fifty (150) students in Clayton County applied; twelve (12) competed in the program, eight (8) earned medals in fourteen categories, and six (6) earned

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gold medals in ten subcategories qualifying them to progress in the National Competition July 2013, in Orlando, Florida. Members of ACT-SO invited the Board and the citizens of Clayton County to join them at the Chick-Fil-A ACT-SO Spirit Night in Jonesboro, Georgia, on Tara Boulevard on June 6th, 13th, and 14th, 2013 from 5 p.m. – 9 p.m. The members also extended an invitation to the Showcase Brunch held at Drew High School in Riverdale, Georgia. This presentation ended with a song.

8. Theodis Locke, Director of Central Services/Risk Management, presented five (5) items which resulted in the following Board actions.

(NOTE: The entire Purchasing Ordinance for Clayton County, Georgia can be viewed on the MuniCode website. Citizens can access this website via the following website address: <http://library.municode.com/index.aspx?clientId=10562>.)

1) Approved **Installation of a Walking Path at the Reynolds Nature Preserve**, as requested by the Parks and Recreation Department. The recommendation is to award the contract to Surrounding Landscapes, Inc. in Marietta, Georgia at a cost of \$9,240.00. Funding is available through the 2009 SPLOST funds. Per Section 2-136 (4) of the Clayton County Purchasing Ordinance, the written quote method is used for all purchases from \$500.00 to \$24,999.99. Buyers are required to solicit quotations and receive written response from vendors. All reasonable efforts will be made to obtain three written quotations for each item solicited. Awards for written quotations are given strictly on a lowest quote. Vote unanimous.

Parks and Recreation Director Detrick Stanford's recommendation is to award this request and purchase from Surrounding Landscapes, Inc., located in Marietta, Georgia, whose company had the overall lowest responsive quote.

2) Approved **RFP PKG #13-03 Brokerage Services for the Resell of three (3) fire trucks, Clayton County, Georgia**, as requested by the Fire Department. Fire Chief Hood's recommendation is to award a contract to Ten-8 Fire Equipment, Inc. in Brandon, Florida with the highest score of 386.50. Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. The

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Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. Vote unanimous.

3) Approved **RFP Pkg. #13-19 Roadway Construction Engineering and Inspection Services for Clayton County Department of Transportation and Development, Annual Contract (CDM Smith, Inc., Atlanta, Georgia)**, as requested by the Transportation and Development Department. Funding is available through the 2004 and 2009 SPLOST funds. Per Section 2-136 (2) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed proposal method when the competitive sealed bid method is neither practical nor advantageous and when cost is not the primary consideration. The competitive sealed proposal method will be used when the costs of goods and services exceed \$25,000.00. The Clayton County Board of Commissioners makes the final award for all non-budgeted proposals of \$35,000.00 and greater. The motion carried 4-1. Commissioner Rooks opposed.

Transportation and Development Director Jeff Metarko's recommendation is to award a contract to CDM Smith, Inc. located in Atlanta, Georgia, with the highest score of 516.00.

4) Approved **RFB PKG #13-22 SPLOST Milling and Resurfacing of Various Streets in Clayton County Commission Districts 1 & 2, Clayton County, Georgia**, as requested by the Transportation and Development Department. Transportation and Development Director Jeff Metarko's recommendation is to award the contract to C.W. Matthews Contracting Co., Inc. in Marietta, Georgia at a cost of \$2,375,035.91. This recommendation is based upon the lowest responsive bidder who meets the specifications. Funding is available in the 2009 SPLOST Fund. Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Finance Director and purchased by the Director of Central Services without the Board of Commissioners' approval. Vote unanimous.

5) Approved **RFB PKG #13-23 SPLOST Milling and Resurfacing of Various Streets in Clayton County Commission Districts 3 & 4, Clayton County, Georgia**, as requested by the Transportation and Development Department. Transportation and Development Director Jeff Metarko's recommendation is to award the contract to C.W. Matthews Contracting Co., Inc. in

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Marietta, Georgia at a cost of \$2,433,101.05. This recommendation is based upon the lowest responsive bidder who meets the specifications. Funding is available in the 2009 SPLOST Fund. Per Section 2-136 (1) of the Clayton County Purchasing Ordinance, Clayton County utilizes the competitive sealed bid method when the costs of goods and services are in excess of \$25,000.00. The Clayton County Board of Commissioners has the final award approval for all non-budgeted bids \$35,000.00 and greater. All approved budgetary goods and services and annual contract purchases can be authorized by the Finance Director and purchased by the Director of Central Services without Board of Commissioners' approval. Vote unanimous.

9. Ramona Thurman, Chief Financial Officer, presented four (4) Budget Amendments which resulted in the following Board actions.

1) Approved Budget Amendment #2-63 – Clayton County BOC Self-Funded Medical/FYE 6-30-13, in the amount of \$3,758.00, to reimburse the County for funds expended on open enrollment. Vote unanimous.

2) Approved Budget Amendment #2-64 – Federal Narcotics Fund/FYE 6-30-13, in the amount of \$33,500.00, to amend in Federal Drug funds to purchase a vehicle for the Sheriff's Office. Vote unanimous.

3) Approved Budget Amendment #4-88 – **Fund 306** – Roads & Recreation Projects & **Fund 307** – 2009 SPLOST Projects/FYE 6-30-13, in the amount of \$2,800,000.00, for construction, engineering and inspection services on transportation projects. Vote unanimous.

4) Approved Budget Amendment #4-96 – **Fund 307** – 2009 SPLOST Projects/FYE 6-30-13, in the amount of \$4,810,000.00, for milling and resurfacing in all four (4) Commission Districts. Vote unanimous.

5) Approved Accounts Receivable/Fixed Assets Write-Offs. Vote unanimous.

10. Renee Bright, Director of Human Resources, presented one (1) request which resulted in the following Board action.

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A request to reclassify the Legal Advisor position within the Office of the Sheriff was not approved due to lack of a motion by the Board.

11. Approved Resolution 2013-138, a Resolution authorizing Clayton County to enter into an Intergovernmental Agreement with the Georgia Department of Corrections on behalf of the Clayton County Prison for the care and custody of state inmates; to authorize the Chairman to execute the Intergovernmental Agreement and otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Finance Director or the Chief Financial Officer to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

12. Approved Resolution 2013-139, a Resolution authorizing Clayton County to accept grant funds (\$97,105.00 with no local match required from the County) on behalf of the Clayton County Adult Felony Drug Court from the State of Georgia Accountability Court Funding Committee to support program needs; to authorize the Chairman to execute all necessary documents, and otherwise to perform all acts necessary to accomplish the intent of this resolution; to authorize the Finance Director or the Chief Financial Officer to amend the budget to reflect an appropriate revenue source and expense, all as may relate to the grant; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

13. Approved Resolution 2013-140, a Resolution authorizing Clayton County to accept grant funds (\$12,225.00 with no local match required from the County) on behalf of the Clayton County DUI/Drug Court from the State of Georgia Accountability Court Funding Committee to support program needs; to authorize the Chairman to execute all necessary documents and otherwise to perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer or the Finance Director to amend the budget to reflect an appropriate revenue source and expense, all as may be required as they relate to the grant; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

14. Approved Resolution 2013-141, a Resolution authorizing Clayton County Juvenile Court, on behalf of the Board of Commissioners, to apply for Juvenile Accountability Block Grant funding to support therapeutic services for high-risk designated Felony Offenders assigned to the Second Chance Court program; to authorize the Chairman to execute the grant application and otherwise perform all

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other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer or the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required; to provide an effective date of this resolution; and for other purposes. If awarded the grant funds, the total will be \$74,920.00 and will require a local match of 10% for which Juvenile Court intends to submit the salary of the Second Chance Court Officer assigned to the Second Chance Court as the required match. Vote unanimous.

15. Approved Resolution 2013-142, a Resolution authorizing Clayton County Juvenile Court to apply for the Juvenile Justice Incentive Grant funding to enhance current court services for high-risk **youth at risk for commitment**; to authorize the Chairman to execute the grant application and otherwise perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer or the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required; to provide an effective date of this resolution; and for other purposes. (NOTE: Clayton County is one of 18 counties targeted to apply for \$500,000.00 of Juvenile Justice Incentive Grant Program monies as administered by the Criminal Justice Coordinating Council.) Vote unanimous.

Interim County Attorney Jack Hancock changed the wording from “high-risk designated Felony Offenders assigned to the Second Chance Court program” to the above wording that is in **bold**.

16. Approved Resolution 2013-143, a Resolution authorizing Clayton County to enter into a Partnership Agreement with the Georgia Center for Youth and Families, Inc. to host the 2013 Double Dutch "Jump Off" Program in conjunction with the Clayton County Parks and Recreation Summer Camp Program; to authorize the Chairman to perform all acts necessary to accomplish the intent of this resolution; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

17. Approved Resolution 2013-144, a Resolution authorizing Clayton County to accept two (2) forfeited vehicles (a 2005 Nissan Altima and a 2001 Chevrolet Malibu) from Clayton County Police Department drug investigations; to authorize the sale of such property in a manner as will be in the best interest of the County; to provide for the disbursal of sale proceeds; to authorize the Chief Financial Officer or the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

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18. Approved Resolution 2013-145, a Resolution authorizing Clayton County to enter into a Lease Agreement with CS Improvements, LLC, providing for the lease of space located at 747 North Avenue (Crossroads South Shopping Center), Jonesboro, Georgia, for use by the Clayton County Police Department; to authorize the Chairman to execute the Lease Agreement and to otherwise perform all other acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer or the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required under the terms of the agreement; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

19. Approved Resolution 2013-146, a Resolution authorizing Clayton County to exercise its powers of Eminent Domain in accordance with provisions of Georgia Laws for the purpose of acquiring certain properties for use by the Clayton County Department of Transportation and Development for the Anvilblock Road Widening Improvement Project; to authorize the Chairman to execute any documents relating thereto, and to otherwise perform all acts necessary to accomplish the intent of this resolution; to authorize the Chief Financial Officer or the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense; to provide an effective date of this resolution; and for other purposes. Vote unanimous.

20. Approved Resolution 2013-147, a Resolution providing for supplemental compensation of the Clayton County Interim Library Director as an employee of the State of Georgia employed in County offices and performing duties and responsibilities essential to County operations; to authorize the Chief Financial Officer or the Finance Director to amend the budget where necessary to reflect an appropriate revenue source and expense, all as may be required; to provide an effective date of this resolution; to repeal conflicting laws; and for other purposes. Vote unanimous.

Mr. Hancock requested an Executive Session regarding a personnel matter. The Board generally consented to have an Executive Session for the aforementioned reason.

Motion by Commissioner Rooks, second by Chairman Turner, to go into Executive Session in the Commissioners' Conference Room at 7:50 p.m. to discuss a personnel matter. Vote unanimous.

Motion by Commissioner Rooks, second by Chairman Turner, to go out of Executive Session at 8:07 p.m. The motion carried 3-0. (Commissioners Singleton and Hambrick were absent.)

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Motion by Commissioner Rooks, second by Vice-Chairman Edmondson, to reconvene the Regular Business Meeting in the Commissioners' Boardroom at 8:12 p.m. The motion carried 3-0. (Commissioners Singleton and Hambrick were absent.)

There being no further business to discuss, motion by Commissioner Rooks, second by Vice-Chairman Edmondson, to adjourn the Regular Business Meeting of June 4, 2012 at 8:12 p.m. The motion carried 3-0. (Commissioners Singleton and Hambrick were absent.)